

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

VS.

CASE NO.: 4:08CR00088 JMM

LEODIS RANDLE, JR.

DEFENDANT

ORDER

On June 30, 2008, the Court granted Defendant's Motion for Examination to Determine Competency to Stand Trial and Competency at the Time of Alleged Offense, under 18 U.S.C. §§ 4241 and 4242 (docket entry #20).

The United States Marshal for the Eastern District of Arkansas has advised the Court that Defendant has been designated to the Federal Correctional Institution in Fort Worth, Texas for the examination.

Accordingly, Defendant must surrender, for service of the examination, to the United States Marshal for the Eastern District of Arkansas – 600 West Capitol, Rm. 445 – before 2 p.m., Tuesday, July 29, 2008. Failure to report will result in a warrant being issued for Defendant's arrest.

Once Defendant surrenders, the United States Marshal is directed to transport Defendant to the Federal Correctional Institution in Fort Worth, Texas forthwith.¹

¹Under 18 U.S.C. § 3161(h)(1)(H), time for transportation in excess of ten (10) days from the date of surrender is presumed unreasonable under the Speedy Trial Act.

Under 18 U.S.C. § 4247(b) and (c), Defendant is committed to the custody of the Attorney General, or his authorized representative, for a period not to exceed thirty (30) days for a psychiatric or psychological examination under 18 U.S.C. § 4241 and for a period not to exceed forty-five (45) days for psychiatric or psychological examination under 18 U.S.C. § 4242. Both time periods exclude any time required for transportation. Upon his return from the Federal Correctional Institution in Fort Worth, Texas, Defendant is to be released on his own recognizance, with the same conditions of release that were previously in effect (docket entries #9 and #20).

Based on 18 U.S.C. § 4247(c), the facility conducting the examination will file a report with this Court with copies to Defendant's counsel and the United States Attorney.

Eleven (11) days after the examination report is received by the Court and the parties, any party who wants a hearing regarding any issues in the report or opposes the report must file a motion for hearing or a motion in opposition, including a concise statement of opposition to the report and supporting authorities.

If no motions are filed within eleven (11) days, the Court will enter an Order adopting or rejecting the conclusions set forth in the report, and the period of excludable delay will end.²

²18 U.S.C. § 3161(h)(1)(A).

IT IS SO ORDERED this 22nd day of July, 2008.

A handwritten signature in black ink, appearing to read "Belderson", is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE